IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 656 of 2005

Between:

Sama Damodhar Reddy, s/o late Parma Reddy,
r/o 2-4-49/1, Upparpally Village, Rajendranagar Mandal, Ranga Reddy District.

..... PETITIONER

AND

The Station House Officer, Rajendranagar Police Station,
Rajendranagar Municipality, Ranga Reddy District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent herein in interfering with possession and enjoyment of the petitioner over the land bearing Sy.Nos.25 and 26 measuring Ac.0.13 guntas situated at Upparpally Village, Rajendranagar Mandal, Ranga Reddy District as illegal, high handed, without jurisdiction and violative of Art.14 and 300A of the Constitution of India.

Counsel for the Petitioner:MR.V.TULASI REDDY

Counsel for the Respondent : GP FOR HOME

The Court at the admission stage made the following :

O R D E R:

Petitioner alleges that the respondent is interfering with his possession and enjoyment over the land in survey No.25 and 26 of Upparpally Village, Rajendra Nagar Mandal. In the affidavit filed in support of the writ petition his source of title and basis of possession are narrated, and ultimately it is stated that at the instance of some third parties, the respondent is interfering with the possession.

The respondent filed a counter affidavit denying of the petitioner. It is also stated that no one had approached him complaining against the petitioner and that he never interfered with the rights of the petitioner over the land in question.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

While the petitioner alleges that the respondent had interfered with his possession over the land referred to above, the latter had flatly denied such allegation. It is difficult for this court to record any definite finding on the disputed questions of fact. However, the statement made by the respondent that he did not interfere with the possession of the petitioner over the land nor does he propose to interfere except in accordance with law is recorded, and the writ petition is disposed of in terms of the same. There shall be no order as to costs.

17-02-2005

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L.NARASIMHA REDDY, J

MJL/TS

To,

1. The Station House Officer, Rajendranagar Police Station,
   Rajendranagar Municipality, Ranga Reddy District.

2. 2 CCs to G.P. for Home, High Court buildings, Hyderabad.(OUT)

3. 2 CD copies.